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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,987	11/19/2003	Jeffrey A. Frisco	59013DIV1	7576

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EXAMINER	
PARRY, CHRISTOPHER L	
ART UNIT	**PAPER NUMBER**
2623	

NOTIFICATION DATE	DELIVERY MODE
10/03/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/716,987	FRISCO ET AL.	
	Examiner	Art Unit	
	Chris Parry	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/19/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 8-10, 22-23, and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Sklar et al. "Sklar" (US 5,990,928) (cited by applicant).

Regarding Claim 1, Sklar discloses an aircraft in-flight entertainment system (50 – figure 1) (Col. 7, lines 57-61) comprising: a satellite television (TV) receiver (42 – figure 2) (Col. 8, lines 62-67); at least one passenger video display (56 – figure 1) connected to said satellite TV receiver (Col. 9, lines 26-35); and a processor (44 – figure 2) connected to said satellite TV receiver for determining an undesired condition (i.e., determine that the aircraft is about to leave the coverage area) (Col. 9, line 61 to Col. 10, line 8) and for generating responsive thereto a substitute image on said at least one passenger video display rather than permit display of an undesired image which would otherwise be produced (i.e., region control unit 44 instructs receiver unit 42 to switch to a different program) (Col. 10, lines 32-47 and Col. 11, lines 9-33).

As for Claim 2, Sklar discloses wherein said satellite TV receiver comprises a direct broadcast satellite (DBS) receiver (Col. 5, lines 41-65).

As for Claim 8, Sklar teaches wherein said satellite TV receiver generates a plurality of individual video channels (Col. 8, line 62 to Col. 9, line 29); and wherein said processor determines the undesired condition for each of the individual video channels (Col. 9, line 61 to Col. 10, line 8 and Col. 10, lines 32-41).

As for Claim 9, Sklar teaches wherein said satellite TV receiver generates a plurality of video channels (Col. 8, line 62 to Col. 9, line 29); and wherein said processor determines the undesired condition for the plurality of video channels (Col. 9, line 61 to Col. 10, line 8 and Col. 10, lines 32-41).

As for Claim 10, Sklar teaches wherein said at least one passenger video display comprises a plurality of passenger seatback video displays (56 – figure 1) (Col. 7, lines 57-61).

Regarding Claim 22, Sklar discloses a method for operating an aircraft in-flight entertainment system (50 – figure 1) (Col. 7, lines 57-61) comprising a satellite television (TV) receiver (42 – figure 2) (Col. 8, lines 62-67); at least one passenger video display (56 – figure 1) connected to said satellite TV receiver (Col. 9, lines 26-35); the method comprising: determining an undesired condition (i.e., determine that the

aircraft is about to leave the coverage area) (Col. 9, line 61 to Col. 10, line 8); and generating a substitute image on the at least one passenger video display rather than permit display of an undesired image which would otherwise be produced (i.e., region control unit 44 instructs receiver unit 42 to switch to a different program) (Col. 10, lines 32-47 and Col. 11, lines 9-33).

Considering Claim 23, the claimed elements of wherein the satellite TV receiver comprises a direct broadcast satellite (DBS) receiver, corresponds with subject matter mentioned above in the rejection of claim 2, and is likewise treated.

Considering Claim 29, the claimed elements of wherein the satellite TV receiver generates a plurality of individual video channels, corresponds with subject matter mentioned above in the rejection of claim 8, and is likewise treated.

Considering Claim 30, the claimed elements of wherein the satellite TV receiver generates a plurality of video channels, corresponds with subject matter mentioned above in the rejection of claim 9, and is likewise treated.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 6 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sklar.

As for Claims 6 and 27, Sklar discloses region control unit 44 or "processor" is configured to monitor coverage area and signal strength of the direct broadcast satellite system, wherein the undesired condition is the aircraft leaves a coverage area of a satellite before a particular program can finish. However, Sklar is silent on disclosing wherein the undesired image is default text message image. The examiner gives Official Notice that it is notoriously well known in the art to monitor the broadcast for text, images, graphics, and any other images within a program and replacing the detected image with a more customized image for the user.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the undesired image is default text message image for the benefit of detecting an non-customized image and replacing the image with a more user-friendly image for the user.

5. Claims 3-5, 7, 13-19, 24-26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sklar in view of Gangitano (US 6,580,452).

As for Claim 3, Sklar discloses region control unit 44 or "processor" is configured to monitor coverage area and signal strength of the direct broadcast satellite system, wherein the undesired condition is the aircraft leaves a coverage area of a satellite before a particular program can finish. However, Sklar is silent on disclosing wherein

the undesired condition is a weak received signal strength condition; and wherein said processor determines the weak received signal strength condition.

In an analogous art, Gangitano discloses an apparatus for displaying a received signal strength comprising, a processor (22 – figure 4) connected to said satellite TV receiver (14 – figure 4) for determining an undesired condition (Col. 3, lines 9-19), wherein the undesired condition is a weak received signal strength condition (Col.3, lines 53-62); and wherein said processor determines the weak received signal strength condition (Col. 3, lines 20-30 & Col. 4, lines 7-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the processor determines the weak received signal strength condition as taught by Gangitano for the benefit of providing a more user-friendly notification of an indication of why a video image has suddenly froze on the screen of their display.

As for Claim 4, Sklar discloses region control unit 44 or "processor" is configured to monitor coverage area and signal strength of the direct broadcast satellite system, wherein the undesired condition is the aircraft leaves a coverage area of a satellite before a particular program can finish. However, Sklar is silent on disclosing wherein the undesired condition is a component malfunction; and wherein said processor determined the component malfunction.

In an analogous art, Gangitano discloses an apparatus for displaying a received signal strength comprising, a processor (22 – figure 4) connected to said satellite TV

receiver (14 – figure 4) for determining an undesired condition (Col. 3, lines 9-19), wherein the undesired condition is a component malfunction (Col. 4, lines 24-26); and wherein said processor determined the component malfunction (Col. 4, line 63 to Col. 5, line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the processor determines that there is a component malfunction condition as taught by Gangitano for the benefit of providing a more user-friendly notification of an indication of why a video image has suddenly froze on the screen of their display.

As for Claim 5, Sklar discloses region control unit 44 or "processor" is configured to monitor coverage area and signal strength of the direct broadcast satellite system, wherein the undesired condition is the aircraft leaves a coverage area of a satellite before a particular program can finish. However, Sklar is silent on disclosing wherein the undesired image is a degraded program image.

In an analogous art, Gangitano discloses an apparatus for displaying a received signal strength comprising, a processor (22 – figure 4) connected to said satellite TV receiver (14 – figure 4) for determining an undesired condition (Col. 3, lines 9-19), wherein the undesired image is a degraded program image (Col.3, lines 20-62 & Col. 4, lines 7-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the processor determines the undesired image is a degraded program image as taught by Gangitano

for the benefit of providing a more user-friendly notification of an indication of why a video image has suddenly froze on the screen of their display.

As for Claim 7, Sklar discloses displaying a substitute image (Col. 11, lines 25-33), however is silent on disclosing a storage device connected to said processor for storing the substitute image.

In an analogous art, Gangitano discloses an apparatus for displaying a received signal strength comprising, a storage device (32 – figure 7) connected to said processor (36 – figure 7) for storing the substitute image (figures 6a-6c) (Col. 5, lines 9-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include a storage device for storing the substitute image as taught by Gangitano for the benefit of storing and retrieving a user-friendly image that can be quickly displayed to the user when a frozen image has been detected.

Regarding Claim 13, Sklar discloses an aircraft in-flight entertainment system (50 – figure 1) (Col. 7, lines 57-61) comprising: a satellite television (TV) receiver (42 – figure 2) (Col. 8, lines 62-67); a plurality of passenger video displays (56 – figure 1) connected to said satellite TV receiver (Col. 9, lines 26-35); and a processor (44 – figure 2) connected to said satellite TV receiver for determining a...signal strength condition (i.e., determine that the aircraft is about to leave the coverage area) (Col. 9, line 61 to Col. 10, line 8) and for generating responsive thereto a substitute image on said

passenger video displays prior to display of an undesired image which would otherwise be produced (i.e., region control unit 44 instructs receiver unit 42 to switch to a different program) (Col. 10, lines 32-47 and Col. 11, lines 9-33).

However, Sklar is silent on disclosing a processor connected to said satellite TV receiver for determining a weak received signal strength condition. In an analogous art, Gangitano discloses an apparatus for displaying a received signal strength comprising, a processor (22 – figure 4) connected to said satellite TV receiver (14 – figure 4) for determining a weak received signal strength condition (Col. 3, lines 9-19 & lines 53-62); and for generating responsive thereto a substitute image...(figures 6a-6c) (Col. 3, lines 20-30; Col. 4, lines 7-17; Col. 4, line 45 to Col. 5, line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the processor determines the weak received signal strength condition as taught by Gangitano for the benefit of providing a more user-friendly notification of an indication of why a video image has suddenly froze on the screen of their display.

As for Claim 14, Sklar and Gangitano disclose, in particular Sklar teaches wherein said satellite TV receiver comprises a direct broadcast satellite (DBS) receiver (Col. 5, lines 41-65).

As for Claim 15, Sklar and Gangitano disclose, in particular Gangitano teaches wherein the undesired image is a degraded program image (Col.3, lines 20-62 & Col. 4, lines 7-36).

As for Claim 16, Sklar and Gangitano fail to specifically disclose wherein the undesired image is default text image. The examiner gives Official Notice that it is notoriously well known in the art to monitor the broadcast for text, images, graphics, and any other images within a program and replacing the detected image with a more customized image for the user.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the undesired image is default text message image for the benefit of detecting an non-customized image and replacing the image with a more user-friendly image for the user.

As for Claim 17, Sklar and Gangitano disclose, in particular Gangitano teaches a storage device (32 – figure 5) connected to said processor for storing the substitute image (figures 6a-6c) (Col. 5, lines 9-25).

As for Claim 18, Sklar and Gangitano disclose, in particular Sklar teaches wherein said satellite TV receiver generates a plurality of individual video channels (Col. 8, line 62 to Col. 9, line 29); and wherein said processor determines the undesired

condition for each of the individual video channels (Col. 9, line 61 to Col. 10, line 8 and Col. 10, lines 32-41).

As for Claim 19, Sklar and Gangitano disclose, in particular Sklar teaches wherein said satellite TV receiver generates a plurality of video channels (Col. 8, line 62 to Col. 9, line 29); and wherein said processor determines the undesired condition for the plurality of video channels (Col. 9, line 61 to Col. 10, line 8 and Col. 10, lines 32-41).

Considering Claim 24, the claimed elements of wherein the undesired condition is a weak received signal strength condition, corresponds with subject matter mentioned above in the rejection of claim 3, and is likewise treated.

Considering Claim 25, the claimed elements of wherein the undesired condition is a component malfunction, corresponds with subject matter mentioned above in the rejection of claim 4, and is likewise treated.

Considering Claim 26, the claimed elements of wherein the undesired image is a degraded program image, corresponds with subject matter mentioned above in the rejection of claim 5, and is likewise treated.

Considering Claim 28, the claimed elements of storing the substitute image, corresponds with subject matter mentioned above in the rejection of claim 7, and is likewise treated.

6. Claims 11-12 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sklar in view of Galipeau et al. "Galipeau" (US 6,249,913) (cited by applicant).

As for Claim 11, Sklar discloses aircraft entertainment system 50 includes a signal distribution network 54 that connects the headend 52 to a plurality of peripherals 56 consisting primarily of passenger seat stations or terminals (Col. 7, lines 57-61). However Sklar is silent on disclosing a plurality of signal distribution devices connected to a cable network and connecting said signal distribution devices to passenger video displays.

In an analogous art, Galipeau discloses an aircraft in-flight entertainment system (figure 1), wherein said at least one passenger video display (154 – figure 6B) comprises a plurality of passenger video displays (154 – figure 6B & figure 9B) (Col. 10, lines 19-22), and further comprising: a plurality of signal distribution devices (18 – figures 1, 3, & 9b) (Col. 4, lines 1-15); and a cable network (20 – figures 1, 3, and 9) connecting said satellite TV receiver (186 – figure 9A) (Col. 10, lines 17-60) to said signal distribution devices (figure 9B) (Col. 4, lines 13-20 and Col. 5, lines 26-31), and connecting said signal distribution devices to said passenger video displays (154 – figure 6B & figure 9b) (Col. 4, lines 1-20). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include a

plurality of signal distribution devices connected to a cable network and connecting said signal distribution devices to passenger video displays as taught by Galipeau for the benefit of providing an aircraft entertainment system with sufficient flexibility to support and integrate the entertainment and data needs of commercial aircraft passengers.

As for Claim 12, Sklar is silent on disclosing wherein the aircraft is a narrow-body aircraft having a single passenger aisle.

In an analogous art, Galipeau discloses an aircraft in-flight entertainment system (figure 1), wherein the aircraft is a narrow-body aircraft having a single passenger aisle (Col. 3, lines 54-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar to include wherein the aircraft is a narrow-body aircraft having a single passenger aisle as taught by Galipeau for the benefit of providing an aircraft entertainment system with sufficient flexibility to support and integrate the entertainment and data needs of commercial aircraft passengers on smaller aircrafts.

Considering Claim 31, the claimed elements of wherein the aircraft is a narrow-body aircraft having a single passenger aisle, corresponds with subject matter mentioned above in the rejection of claim 12, and is likewise treated.

7. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sklar in view of Gangitano as applied to claim 13 above, and further in view of Galipeau.

As for Claim 20, Sklar and Gangitano disclose, in particular Sklar teaches an aircraft entertainment system 50 includes a signal distribution network 54 that connects the headend 52 to a plurality of peripherals 56 consisting primarily of passenger seat stations or terminals (Col. 7, lines 57-61). However Sklar and Gangitano are silent on disclosing a plurality of signal distribution devices connected to a cable network and connecting said signal distribution devices to passenger video displays.

In an analogous art, Galipeau discloses an aircraft in-flight entertainment system (figure 1), comprises a plurality of signal distribution devices (18 – figures 1, 3, & 9b) (Col. 4, lines 1-15); and a cable network (20 – figures 1, 3, and 9) connecting said satellite TV receiver (186 – figure 9A) (Col. 10, lines 17-60) to said signal distribution devices (figure 9B) (Col. 4, lines 13-20 and Col. 5, lines 26-31), and connecting said signal distribution devices to said passenger video displays (154 – figure 6B & figure 9b) (Col. 4, lines 1-20). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar and Gangitano to include a plurality of signal distribution devices connected to a cable network and connecting said signal distribution devices to passenger video displays as taught by Galipeau for the benefit of providing an aircraft entertainment system with sufficient flexibility to support and integrate the entertainment and data needs of commercial aircraft passengers.

As for Claim 21, Sklar and Gangitano are silent on disclosing wherein the aircraft is a narrow-body aircraft having a single passenger aisle.

In an analogous art, Galipeau discloses an aircraft in-flight entertainment system (figure 1), wherein the aircraft is a narrow-body aircraft having a single passenger aisle (Col. 3, lines 54-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sklar and Gangitano to include wherein the aircraft is a narrow-body aircraft having a single passenger aisle as taught by Galipeau for the benefit of providing an aircraft entertainment system with sufficient flexibility to support and integrate the entertainment and data needs of commercial aircraft passengers on smaller aircrafts.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arsenault et al. (US 2005/0108759) – A method and system for detecting satellite signal lock in a satellite receiver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:00 AM EST to 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chris Parry
Examiner
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/CP/

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